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*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
for the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

SIPA LIQUIDATION

(Substantively Consolidated)

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-05094 (SMB)

v.

THE ESTATE OF CAROLYN MILLER,

THE CAROLYN MILLER REVOCABLE  
TRUST,

LAURIE ROSEN REIMER, individually and in her

capacities as Personal Representative of the Estate of Carolyn Miller and trustee of the Carolyn Rosen Miller Revocable Trust,

**THE ESTATE OF LEONARD MILLER**

ROBERT B. MILLER, in his capacity as Co-Personal Representative of the Estate of Leonard Miller,

CORRINE M. COTT, in her capacity as Co-Personal Representative of the Estate of Leonard Miller,

JOANNE GAYLE ROSEN, in her capacities as Personal Representative of the Estate of Carolyn Miller and trustee of the Carolyn Rosen Miller Revocable Trust,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL OF CERTAIN DEFENDANTS WITHOUT PREJUDICE**

**WHEREAS**, on December 2, 2010, Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et. seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, filed the above-captioned avoidance action against (i) the Estate of Carolyn Miller, (ii) the Carolyn Miller Revocable Trust, (iii) Laurie Rosen Reimer, individually and in her capacities as Personal Representative of the Estate of Carolyn Miller and trustee of the Carolyn Rosen Miller Revocable Trust, and (iv) Leonard Miller, individually and in his capacities as Personal Representative of the Estate of Carolyn Miller and trustee of the Carolyn Rosen Miller Revocable Trust (collectively referred to as “Defendants”);

**WHEREAS**, Defendant Leonard Miller died on February 21, 2014; and

**WHEREAS**, on December 20, 2015, (i) the Estate of Leonard Miller, (ii) Corrine M.

Cott, in her capacity as personal representative of the Estate of Leonard Miller (“Corrine Cott”), (iii) Robert B. Miller, in his capacity as personal representative of the Estate of Leonard Miller (“Robert Miller”), and (iv) Joanne Gayle Rosen, in her capacities as successor Personal Representative of the Estate of Carolyn Miller and Trustee of the Carolyn Rosen Miller Revocable Trust, were substituted in the place of Leonard Miller.

**IT IS THEREFORE MUTUALLY AGREED AND STIPULATED**, by and between the Trustee and Defendants (i) the Estate of Leonard Miller, (ii) Corrine Cott, and (iii) Robert Miller, by and through their counsel, Chaitman, LLP (collectively, the “Parties”), as follows:

1. On December 3, 2010, the Trustee filed and served the Complaint.
2. On September 18, 2015, Defendants filed an Answer to the Complaint.
3. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal without prejudice of the Trustee’s claims against the Estate of Leonard Miller, Corrinne Cott and Robert Miller in the above-captioned adversary proceeding.

4. The Parties reserve all rights, claims and defenses they may have, and entry into this Stipulation shall not impair or otherwise affect such rights, claims and defenses. Nothing contained in this Stipulation can or shall be construed as an adjudication on the merits of claims that the Parties may have against each other or any other party, or as an admission or acknowledgement of any claim or defense as against the other by either Party.

5. Upon the dismissal of the Estate of Leonard Miller, Corrinne Cott and Robert Miller, the caption for this Proceeding is hereby amended to delete the Estate of Leonard Miller, Corrinne Cott and Robert Miller from the caption. The amended caption of the Proceeding shall appear as indicated on Exhibit A to this stipulation.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

7. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: New York, New York  
April 13, 2017

BAKER & HOSTETLER LLP

Of Counsel:

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*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff Investment  
Securities LLC and for the Estate of Bernard  
L. Madoff*

**CHAITMAN, LLP**

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*Attorney for Defendants*

SO ORDERED

Dated: April 13, 2017  
New York, New York

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE

## EXHIBIT "A"

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THE CAROLYN MILLER REVOCABLE  
TRUST,

LAURIE ROSEN REIMER, individually and in her  
capacities as Personal Representative of the Estate  
of Carolyn Miller and trustee of the Carolyn Rosen  
Miller Revocable Trust,

JOANNE GAYLE ROSEN, in her capacities as  
Personal Representative of the Estate of Carolyn  
Miller and trustee of the Carolyn Rosen Miller  
Revocable Trust,

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Defendants.